

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT H. SMITH, *et al.*,

Plaintiff,

v.

RYAN W. PHILLIPS, *et al.*,

Defendants.

Case No. C17-1457-RSL

ORDER DISMISSING DEFENDANTS
FROM CIVIL RIGHTS ACTION

The Court, having reviewed plaintiffs' second amended complaint, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the remaining record, hereby finds and ORDERS as follows:

(1) The Report and Recommendation is approved and adopted;

(2) Plaintiffs' second amended complaint (Dkt. 11) and this action are DISMISSED with prejudice, under 28 U.S.C. § 1915(e)(2)(B)(ii), as to defendants Snohomish County Sheriff's Office and Mark Zuckerberg. Plaintiffs' retaliation, unlawful arrest and detention, and equal protection claims are DISMISSED without prejudice under § 1915(e)(2)(B)(ii);

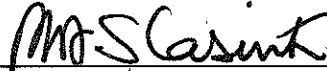
(3) Judge Theiler shall issue a service order directing service of plaintiffs' second amended complaint on Snohomish County Sheriff's Deputies Phillips, Cracchilo, Seth, Malkow,

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1 Emery, and Vargas; and

2 (4) The Clerk is directed to send copies of this Order to plaintiffs and to the Honorable
3 Mary Alice Theiler.

4 DATED this 27th day of March, 2018.

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6 ROBERT S. LASNIK
7 United States District Judge
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